
**MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
FRIDAY – MAY 29, 2015**

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held May 29, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

ABSENT: 0.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

The first order of business was review and approval of minutes from the Investment Committee Meeting held May 21, 2015.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the minutes of the Investment Committee Meeting held May 21, 2015, as presented.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The Executive Director read into the record a letter from the Office of the Mayor. Mayor Emanuel appoints Carole L. Brown as Trustee of the Retirement Board of the Policemen's Annuity and Benefit Fund, for a term effective immediately and expiring November 30, 2015. Additionally, Mayor Emanuel reappoints Carol Hamburger effective immediately and expiring November 30, 2018.

Next was the approval of the Minutes of the last regular meeting of the Retirement Board held April 30, 2015, with a vote correction on page 5.

It was moved by Trustee Avila, seconded by Trustee Maloney that the Board approve the minutes from the regular meeting held April 30, 2015, as amended.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The President turned the meeting over to the recording secretary, Trustee Maloney.

The Board Recording Secretary conducted the agenda as follows:

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1 - 5 Incurred Expenses for the Month of May 2015.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the Obligations as detailed on pages 1 through 5.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

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6 - 8 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations, and Exempt Rank.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the Refunds as detailed on pages 6 through 8.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

9 - 10 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Payments to Heirs of Deceased Annuitants as detailed on pages 9 and 10.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

11 - 12 Annuities [Summary pg. 13]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Annuities as detailed on pages 11 and 12.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

14 Annuities – Revised

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Revised Annuities as detailed on page 14.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

15 - 16 Annuities to Widows [Summary pg. 17]

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the Annuities to Widows as detailed on pages 15 and 16.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

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18 Annuities to Children

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the Annuities to Children as detailed on page 18.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

19 Ordinary Disability Benefits

a) **Del Rivero, Minerva E.**

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board defer disability benefits to Officer Del Rivero pending a full hearing.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

20 - 21 Ordinary Disability Benefits - Revised

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the Revised Ordinary Disability benefits as detailed on pages 20 and 21.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

22 - 31 Occupational/Duty Disability Benefit Claims – Revised

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Revised Duty/Occupational Disease Disability Benefits as detailed on pages 22 through 31.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

32 - 34 Payments of Death Benefits [Summary pg. 35]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Death Benefits as detailed on pages 32 through 34.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

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AGENDA INDEX & SUMMARY

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MISCELLANEOUS

36 REQUEST FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214.3

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the requests for pension credit for prior service as detailed on page 36.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

37 PETITION FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214

Krzebot, Paula L.

Officer Paula Krzebot appeared, without counsel, on her petition to receive pension credit for prior service as a Dispatcher Aide with the Chicago Police Department. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board deny the request for prior service made by this officer as detailed on page 37.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

The President called for a motion to adopt the Order as drafted by the Board's attorney in the case of Officer **Kelli Williams**, which the Board found not eligible to receive a duty disability benefit in accordance with 5/5-154 of the Pension Act. Officer Williams is entitled to an ordinary disability for the period 09/29/2015 through 05/31/2015. Officer Williams has been returned to duty with the Chicago Police Department.

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve the order on the application of Officer Kelli Williams for disability benefits.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The Board President Hauser called the hearings on the scheduled cases.

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board enter into Executive Session per 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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DUTY DISABILITY STATUS REVIEWS, continued

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the Executive Session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

38 Day, Samirah

Samirah Day, appeared, with counsel on her disability status review. After hearing testimony from the disability recipient, Captain Thomas Lemmer of the Medical Section of the CPD, the Board's physician and reviewing the records and documents submitted, *it was moved by Trustee Maloney, seconded by Trustee Hamburger, that the Board enter into an Executive Session.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney, that the Board exit the Executive Session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney, that this matter be continued pending receipt of all medical evidence that Ms. Day wishes to submit within the next three weeks and a decision shall be entered at the June Board meeting.

ROLL CALL

For: Avila, Brown, Hauser, Lappe, Maloney, Wright 6.

Absent: Summers 1.

Against: Hamburger 1.

39 Rodriguez, Jr., Rafael

Rafael Rodriguez, Jr. appeared before the Board and requested a continuance in order to obtain an attorney.

It was moved by Trustee Wright, seconded by Trustee Brown that the Board grant a continuance so Rafael Rodriguez may obtain legal counsel.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

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DUTY DISABILITY STATUS REVIEWS, continued

40 Saladino, Michael

Michael Saladino appeared before the Board on his disability status review. Sgt. Saladino requested a continuance. He testified that he was actively trying to schedule an appointment, through the CPD Medical Section, to see his treating physician.

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board continue this matter for 60 days.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

41 Terrano, Michael

Attorney Jim Thompson, representing **Michael Terrano** appeared before the Board on this disability status review. Mr. Thompson requested a continuance due to the fact that Officer Terrano just retained his services.

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board continue Michael Terrano's status review to the July 2015 Board meeting.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

42 Whiteside, Perry

Attorney representing **Perry Whiteside** indicated this member is scheduled to have surgery in the near future. Based on that information, *it was moved by Trustee Wright, seconded by Trustee Brown, that the status review of Perry Whiteside be continued.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board enter into executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

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43 DUTY DISABILITY CLAIMS, Continued
 Blackman, Duane

Duane Blackman, appeared before the Board, with Counsel, on his claim for a duty disability benefit. After hearing testimony from claimant and reviewing the documents submitted, *it was moved by Trustee Maloney, seconded by Trustee Lappe that the Board award Duane Blackman a duty disability benefit for the period October 27, 2014 through April 6, 2015, when he was returned to active duty with the Chicago Police Department.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.
Absent: 0.
Against: 0.

It was then moved by Trustee Maloney, seconded by Trustee Lappe, that the Board grant the duty award at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.
Absent: 0.
Against: 0.

Dolan, Christine

Christine Dolan appeared before the Board, with Counsel, on her claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted, *it was moved by Trustee Maloney, seconded by Trustee Wright that the Board award Christine Dolan a duty disability benefit.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.
Absent: 0.
Against: 0.

It was then moved by Trustee Maloney, seconded by Trustee Wright, that the Board grant the duty award at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.
Absent: 0.
Against: 0.

Hanna, Janet

Janet Hanna appeared before the Board, with counsel, on her claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted, *it was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board enter into Executive Session per 2 (c)(11).*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.
Absent: 0.
Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the Executive Session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.
Absent: 0.
Against: 0.

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43 DUTY DISABILITY CLAIMS, Continued

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board award Janet Hanna a duty disability benefit.

ROLL CALL

For: Maloney 1.

Absent: 0.

Against: Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

MOTION FAILS

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board award Janet Hanna an Ordinary disability benefit.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

Hernandez, Anthony

Anthony Hernandez appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from claimant and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Avila that the Board enter into Executive Session per 2 (c)(11).*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit the Executive Session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Maloney that the Board award Anthony Hernandez a duty disability benefit.

ROLL CALL

For: Lappe 1.

Absent: 0.

Against: Avila, Brown, Hamburger, Hauser, Maloney, Summers, Wright 7.

MOTION FAILS

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board award Anthony Hernandez an Ordinary disability benefit.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

The Executive Director reviewed with the Board the following matters.

- The Board's physician requested if the October Board meeting date be moved to accommodate his schedule. After review and discussion the date of Monday – October 26, 2015 was decided for the regular Board meeting for October 2015.

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- Next, the Investment Committee meeting for October conflicted with another Pension Fund's meeting of which certain trustees are also appointed members. After review it was decided to reschedule the Investment Committee meeting for the Policemen's Pension fund on Wednesday October 21, 2015 to 1:00 p.m.
- The Board's physician has recommended testing to be completed as follows:

<u>Member</u>	<u>Recommended Test</u>
Richard Mack	FCE
Scott Stehlík	FCE
Mildred Opalinski	FCE

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the recommendation of the Board's physician to have a FCE performed on Richard Mack.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve the recommendation of the Board's physician to have a FCE performed on Scott Stehlík.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board approve the recommendation of the Board's physician to have a FCE performed on Mildred Opalinski.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

- A letter from Corporation Counsel concerning member, **Francis Zoller, Jr.** supplied brief information concerning an indictment violation. This matter was tabled until further research and review could be completed.
- President Hauser had previously appointed an Audit and Actuarial Committee, which was Lois Scott, Carol Hamburger and Jim Maloney. With Lois Scott's resignation, President Hauser appointed Carole Brown to fill the spot on the Audit and Actuarial Committee as well as a committee member on the Executive Coach Committee with Trustees Maloney and Hamburger.
- Introduction of Personnel additions are; Joseph Kosman as a disbursement payroll clerk; Angela Loeffler as a benefit analyst; and Quiana Knapp who is a full-time receptionist.

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- A decision is requested to retain a real estate broker, based on the outstanding RFP, to assist in lease negotiations for office space for the Fund. After discussion *it was moved by Trustee Lappe, seconded by Trustee Avila, that the Board retain MB Real Estate as the Fund's real estate broker.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Wright 5.

Absent: Brown, Summers 2.

Against: Maloney 1.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

All business concluded for this date, May 29, 2015, *it was moved by Trustee Wright, seconded by Trustee Lappe that this meeting be adjourned.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.